**Regulator pressure forces DWP to admit: One million ESA claimants will lose out under UC**

The Department for Work and Pensions (DWP) has bowed to pressure from a regulator and finally published figures proving that at least one million disabled people will eventually be left worse off through the move to universal credit.

Disability News Service (DNS) has been trying since October 2019 to secure updated figures that would show how many disabled people would lose out in the move to the new working-age, income-related benefit system.

[On 31 March](https://www.disabilitynewsservice.com/information-commissioner-rules-dns-was-not-vexatious-in-dwp-universal-credit-request/), the information commissioner ruled against DWP’s attempt to brand DNS “vexatious” for trying to secure the figures.

Now, less than a month later, ministers have published a report that includes the figures DNS has been trying to obtain for nearly three years.

Ministers such as Justin Tomlinson, the former minister for disabled people, and work and pensions secretary Therese Coffey [have repeatedly claimed](https://www.disabilitynewsservice.com/regulator-investigates-dwp-over-universal-credit-cover-up/) that around one million disabled households will receive a higher entitlement under universal credit (UC) than they would have received under their previous “legacy” benefits.

But every time they repeated the figure, they failed to say how many disabled households were expected to receive a lower entitlement under UC.

The most recent DWP equality impact assessment, published in [November 2011](https://www.gov.uk/government/publications/universal-credit-equality-impact-assessment), suggested that the number of disabled households gaining financially from UC would be at least matched by the number losing out, with disabled people who were out of work particularly likely to lose out.

This week’s report confirms that assessment, and it concludes that just as many claimants of employment and support allowance (ESA) – the out-of-work disability benefit – will eventually lose out as will gain from the move across to UC once its rollout is complete.

DWP also [confirmed this week](https://www.gov.uk/government/news/managed-move-of-claimants-to-universal-credit-set-to-restart) that about 2.6 million households who currently still remain on legacy benefits such as ESA, jobseeker’s allowance and tax credits will be claiming UC instead – or will have left the benefits system – by the end of 2024.

Many will have to claim UC when their circumstances change – through a process known as natural migration – while others may choose to make the move themselves (voluntary migration) if they believe they will be better off by doing so.

But hundreds of thousands of other claimants will have to be “managed” onto UC by DWP.

This final group will be eligible for “transitional protection”, which means that those who would otherwise lose out financially to UC will receive the same cash amount they previously received under legacy benefits.

But any subsequent increase in UC, apart from the childcare element – including at the start of every financial year in April, when a claimant’s benefits would otherwise have increased by the rate of inflation – will lead to a reduction in this transitional protection by the same amount.

The transitional protection could even end altogether with certain changes of circumstances.

This “erosion” of transitional protection is likely to be particularly significant next year because of the current high rate of inflation.

It means that – assuming inflation stays above zero – all those receiving transitional protection will eventually be left worse off than if they had remained on their legacy benefits.

This week’s figures show that of about 1.2 million remaining ESA claimants in April 2022, an estimated 600,000 will be better off on UC, but about 500,000 will eventually be worse off, despite any transitional protection they receive.

Those among the 500,000 who will initially benefit from transitional protection will eventually lose all that extra support, and all of them will be left worse off under UC within the first year, because of inflation.

The DWP report says that among claimants likely to lose out in the move to UC are those currently receiving ESA, severe disability premium and enhanced disability premium.

It also shows that, once the rollout of UC has been completed in 2024, about one million claimants will have lost out compared to the benefits they would have received if UC had not been introduced and they had received ESA instead – once any transitional protections have eroded – while about one million will have gained.

This suggests that when ministers repeatedly claimed that about one million disabled households would receive a higher entitlement under UC than they would have received under the previous “legacy” benefits system, they knew that many would also lose out, but chose not to disclose that information.

This suggests that ministers such as Therese Coffey and Justin Tomlinson repeatedly misled parliament.

A DWP spokesperson refused to say why it had taken so long to produce new figures showing how many disabled claimants will lose out from the move to UC, rather than just the number who will gain.

He also refused to say why ministers had misled parliament by only stating that a million disabled households would gain financially from the move to UC.

Asked what ministers’ message was to the hundreds of thousands of disabled people who are already facing a cost-of-living crisis and will lose out even more through the UC managed migration process, he refused to comment.

Instead, he pointed to a DWP press release, [in which Coffey said](https://www.gov.uk/government/news/managed-move-of-claimants-to-universal-credit-set-to-restart): “Over five million people are already supported by universal credit.

“It is a dynamic system which adjusts as people earn more or indeed less, and simplifies our safety net for those who cannot work.

“Parliament voted to end the complex web of six legacy benefits in 2012, and as this work approaches its conclusion we are fully transitioning to a modern benefit, suited to the 21st century.”

**28 April 2022**

**Government’s ‘criminal’ plans for care charging ‘will crush disabled people under debts’**

Devastated disabled campaigners have vowed to continue their fight against care charges, after parliament ignored their concerns and passed a government bill that will fail to protect most working-age disabled people from the “catastrophic” costs of their care.

The House of Lords this week voted against\* the latest attempt to persuade ministers to change their health and care bill so that no-one in England under the age of 40 would have to pay for their care and support.

The Labour amendment would also have made further changes to “regressive” government reforms which the party says will “strongly favour the better off and would bring almost nothing to the worst off”.

The reforms will introduce an “extortionate” lifetime cap of £86,000 on how much anyone pays for social care, but it will not count financial contributions made by local authorities.

Labour’s health and social care spokesperson Baroness [Margaret] Wheeler said this week that “even the government’s own impact assessment admits that only 10 per cent of working-age disabled adult care users will benefit, that one in five older people will not see the benefits of the cap, and that poorer care users are much more likely to die before they reach the cap than others with the same care needs”.

The crossbench disabled peer Baroness [Jane] Campbell, who has led parliamentary attempts to ease the burden of care charges on working-age disabled people, told Disability News Service yesterday (Wednesday) that the proposals in the bill were “criminal” and “will continue to push disabled people of all ages into greater poverty and dependency”.

She said the new legislation will provide a situation for working-age disabled people that will be “so much worse than that which I experienced in my younger life”.

She [had told fellow peers](https://hansard.parliament.uk/lords/2022-04-26/debates/1F1176DE-95D5-4E7A-9832-FF0C9E898C40/HealthAndCareBill): “If the government’s proposals go through tonight, young disabled people will never participate in society as equal citizens, and those totally reliant on benefits will suffer even more financially.”

She said evidence showed that investing in social care to support disabled people “improves their health, enhances their independence and reduces demand on welfare benefits”.

And she said that without government action, disabled people would “be simply crushed by their rising debts”.

Baroness Campbell said: “Four million disabled people in the UK are living in poverty and are particularly hard hit by the rising cost of living.

“Without some easing, they will remain trapped in poverty.”

The disabled Liberal Democrat peer Baroness [Sal] Brinton said: “How many more times must we say that it is still a disgrace that younger adults with disabilities – who we know are more likely to be asset- and savings-poor, likely to need care and support for much longer, and so will accrue much higher levels of costs than the elderly – will use the same arrangements as older people?

“Those older people will use personal care for much less time and will have had decades of income- and asset-building behind them.

“The proposals from the government are just not fit for purpose and must be reviewed for this group of younger adults in particular.”

The former Tory pensions minister Baroness [Ros] Altmann said she would not vote against the government but could not support its proposals.

She said: “I put on record that I agree with everything that has been said about the government’s changes to the social care cap.

“I believe that the measures are regressive… they may be better than the current system, but they are not a solution and are not satisfactory.

“We will end up having to revisit the support for social care.”

The junior health and social care minister Lord Kamall insisted that the government’s plans were “fair and affordable”, were “designed to end the pain of unpredictable care costs by capping the amount anyone would need to pay at £86,000” and would be a “vast improvement” on the existing system.

He said that a pilot scheme would allow the government to “tweak the system to address any shortcomings”.

And he said the Labour amendment would have led to “fundamental unfairness” and made the reforms “unaffordable” and would have forced the government to make “savings” elsewhere.

After the debate, Baroness Campbell paid tribute to the disabled people’s organisation (DPO) Inclusion London and the disability charity Mencap, which “brilliantly pulled out all the stops” to lobby peers over the reforms.

But she said that other DPOs and disability charities “must do more” if charging is ever to be “seriously challenged” and must “be far more vocal on the issue with parliamentarians and produce much better campaign material”.

She said: “It’s up to all the campaigning organisations to demonstrate the evidence that charging for social care support is counter-productive, whereas investment reaps rewards in health, personal independence, financial productivity and general well-being.”

She now plans to concentrate on her work as a member of the Lords adult social care committee, which is [holding an inquiry into adult social care](https://www.disabilitynewsservice.com/social-care-system-must-enable-an-ordinary-life-peers-are-told/).

She said: “I’m really hoping that organisations and individuals experienced in this world will send in some good evidence of what works and what doesn’t and back it up with serious data.”

Svetlana Kotova, director of campaigns and justice for [Inclusion London](http://www.inclusionlondon.org.uk), said: “We are extremely disappointed that the government pushed through its reforms, ignoring so many voices, including the voices of disabled people.

“Those reforms will not protect the vast majority of disabled people from catastrophic care costs; moreover, many will have to live for years trapped in poverty, choosing between heating and eating while paying for care.

“With the rising cost of living, the problem will only grow.

“The reforms will not bring extra money to the system, so while paying for care many of us will continue experiencing cuts to support and fewer opportunities to have choice, control and independence.

“Social care charging is a tax on disability and we will not give up our fight against it.

“We are calling on all disabled people to join our campaign to [Scrap Care Charges](https://www.scrapcarecharges.com/why-we-need-change).”

*\*The motion was lost by 196 votes to 160*

**28 April 2022**

**Trio of disabled women say EHRC has failed them and other families over benefit deaths**

Three disabled women who lost relatives because of the actions of the Department for Work and Pensions (DWP) have accused the equality watchdog of failing them and countless other families.

They spoke out this week after the Equality and Human Rights Commission (EHRC) refused to follow through on plans for an inquiry into multiple [deaths linked to DWP’s failings](https://www.disabilitynewsservice.com/the-department-for-work-and-pensions-deaths-cover-up-and-a-toxic-30-year-legacy/).

The commission has instead announced plans for a voluntary agreement with DWP that will commit the department to follow an action plan aimed at “resolving issues for DWP customers”.

The details of the so-called [section 23 agreement](https://www.equalityhumanrights.com/en/our-work/blogs/using-section-23-agreements-help-organisations-improve-their-approach-equality) are not likely to be released until the summer but will require DWP to “improve its treatment of disabled benefit claimants” and not breach its duties under the Equality Act.

In a letter to the Commons work and pensions committee, [published this week](https://committees.parliament.uk/publications/22043/documents/163687/default/), the commission said it was negotiating an agreement with DWP that will ensure it complies with its obligations under the Equality Act’s public sector equality duty.

It said it was “confident the Commission and DWP will together develop an action plan that can provide further positive improvements to the experiences of people with mental health and learning difficulties in the social security system”.

But despite EHRC’s [apparent confidence](https://www.equalityhumanrights.com/en/our-work/news/ehrc-taking-action-improve-treatment-disabled-benefit-claimants) that an agreement would be signed, DWP [insisted this week](https://questions-statements.parliament.uk/written-questions/detail/2022-04-20/156515) that it “complies with the requirements of the Equality Act 2010 and has not identified any systemic unlawful action”, and that it “has not reached or entered into a legal agreement with the EHRC”.

Chloe Smith, the minister for disabled people, said DWP had been “corresponding with” EHRC about its duty to make reasonable adjustments under the Equality Act 2010 since March 2021.

The EHRC announcement is further proof that the commission has abandoned any plans to hold an inquiry into deaths linked to DWP’s disability benefits assessment system.

It had originally promised to carry out an inquiry after being approached in April 2019 by Labour’s [Debbie Abrahams](https://twitter.com/Debbie_abrahams), a former shadow work and pensions secretary.

But the commission later decided to [delay and “deprioritise” the inquiry](https://www.disabilitynewsservice.com/ehrc-papers-show-it-sidelined-its-own-board-on-wca-death-inquiry-decision/) – blaming the pandemic – and then backed away even further from the commitment by instead announcing plans to address the “systemic barriers” facing disabled claimants in the benefits system.

The proposed section 23 agreement – if it happens – appears to be the only result of that work.

Now three disabled women who have campaigned for justice for relatives whose deaths were linked to DWP’s actions have criticised EHRC for dropping its plans for an inquiry.

[Alison Burton](https://twitter.com/alison71359459), [Imogen Day](https://twitter.com/imogendayx) and [Joy Dove](https://www.facebook.com/groups/338612933431362/?ref=pages_profile_groups_tab&source_id=105096470174380) told Disability News Service (DNS) this week that the commission had failed them and other families.

Alison Burton is the daughter-in-law of Errol Graham, [who starved to death](https://www.disabilitynewsservice.com/the-death-of-errol-graham-man-starved-to-death-after-dwp-wrongly-stopped-his-benefits/) after DWP wrongly stopped his employment and support allowance (ESA), leaving him without any income.

She said the section 23 agreement was another bit of pressure on DWP but was “nowhere near enough”.

She said it showed the continuing issues around trusting both DWP and EHRC, after it backed out of its promise to hold an inquiry.

She said: “They will never be able to restore public trust without that inquiry.

“That’s the only way DWP are going to be able to wipe the slate clear and build for a better future.

“There will always be questions and mistrust with that department until they clear the skeletons out of the closet.

“The public inquiry is the only thing that will even go an inch towards restoring the damage that has been caused.”

An inquest in January 2021 [uncovered 28 separate problems](https://www.disabilitynewsservice.com/philippa-days-sister-pledges-to-continue-fight-for-justice-after-dwps-pip-changes/) with the personal independence payment system that helped cause the death of Philippa Day in October 2019.

Her sister Imogen told DNS this week that EHRC had failed those who have been left bereaved by DWP’s actions.

She said: “An independent inquiry is necessary to prevent further deaths and acts of serious harm.

“Without an inquiry it is clear that more failings will continue to be made.”

Joy Dove’s daughter, Jodey Whiting, [took her own life in February 2017](https://www.disabilitynewsservice.com/jodey-whiting-dwp-ignored-five-safeguarding-chances-before-wca-suicide/), 15 days after she had her ESA wrongly stopped for missing a work capability assessment.

Dove said this week that EHRC’s failure to carry out an inquiry was “not good enough”.

She said: “We need an inquiry to get to the truth about the failings.

“Having an inquiry is the right thing to do so all the families can get some peace.”

Abrahams has also spoken out, [telling the Mirror](https://www.mirror.co.uk/news/politics/dwp-ordered-change-human-rights-26744897) that although the section 23 agreement was “a step forward” it was “just not good enough” and there needed to be “a full independent transparent inquiry looking at the scale of the deaths, the responsibility round the culture of the organisation, and the policies that contributed to it”.

A DWP spokesperson said in a statement: “We are committed to providing a compassionate and responsive service to all our customers, and are constantly improving our processes to deliver consistently reliable and high quality standards.

“We have not so far identified any systemic unlawful action by the department.

“We will continue to work collaboratively towards our shared goals with the commission, addressing their concerns and delivering for our customers.”

He declined to say if this statement meant there was no guarantee that DWP would sign a section 23 agreement.

An EHRC spokesperson had not responded to DWP’s statement by noon today (Thursday).

But the commission told DNS earlier: “Entering into a section 23 agreement with the Department for Work and Pensions is the most effective, direct and targeted means of redress to deal with the systemic barriers disabled claimants face in the benefits system.

“A section 23 agreement will ensure swift and meaningful change and is a more appropriate use of our specific powers.

“This legally-binding action plan is focused on swiftly resolving issues for DWP customers, while avoiding lengthy investigations and offering the bereaved families the justice they deserve.”

**28 April 2022**

**Government ‘must act’ on omission of disabled people from Covid inquiry terms of reference**

The government’s failure to include a “specific reference” to disabled people in the draft terms of reference for the public inquiry into the Covid pandemic is a “grave omission” and must be corrected, a disabled MP has told the House of Commons.

Labour’s [Marsha de Cordova](https://twitter.com/MarshadeCordova), a former shadow minister for disabled people, warned that disabled people would not be able to have confidence that the Covid public inquiry would enable lessons to be learned without such an “explicit reference”.

She called on the government to ensure that disabled people would never again be “hammered, disadvantaged and dehumanised” as they had been during the pandemic.

The Battersea MP said it was crucial that the inquiry investigated why six in 10 Covid-related deaths were of disabled people.

And she questioned why the government had not done enough to identify which groups were at greater risk during the pandemic.

She said that the government’s failure to include disabled people in policy- and decision-making “meant that decisions were made that led to devastating consequences”.

She said she believed that disabled people had to be “at the heart” of the inquiry so that it could “tackle some of the deep-rooted inequalities once and for all”, and that the decision to delay public hearings until next year was “a huge blow to everyone, including the bereaved families who need justice and answers”.

De Cordova, who secured [last week’s Westminster Hall debate](https://hansard.parliament.uk/commons/2022-04-19/debates/0FB4B8CC-FE05-4833-B11D-0C0FC324BB42/Covid-19PublicInquiry) on the inquiry, said that disabled people and their families had “suffered the worst form of hardship and loss” during the pandemic and had been “an afterthought” across areas such as employment, education and accessing food deliveries.

The “vast majority” of disabled people had been left without support during the pandemic, she said.

She also highlighted how the government had mostly ignored her pleas during the crisis for it to carry out and publish equality impact assessments of its policies.

She told MPs: “The inquiry must investigate the lack of impact assessments produced and gain a fuller understanding of what data and evidence was used when introducing policies.

“Government actions and decisions could have prevented the many devastating consequences that disabled people faced.”

De Cordova said that the inquiry’s final terms of reference should make “specific reference” to disabled people because they had been “impacted the worst and the most”.

And she called on the prime minister to set up a panel of experts by experience, including disabled people and others affected by the pandemic, to support the inquiry’s chair, Baroness [Heather] Hallett.

She also called on the government to explain why it had omitted any mention of the Human Rights Act from the draft terms of reference.

Heather Wheeler, a Cabinet Office parliamentary secretary, said the draft terms of reference included the need to consider protected characteristics under the Equality Act 2010, which included disability.

She said [a public consultation on the draft terms of reference](https://www.gov.uk/government/publications/uk-covid-19-inquiry-draft-terms-of-reference) ended on 7 April and had heard from disabled people and more than 150 bereaved families, with more than 20,000 individuals and organisations responding.

She told MPs: “I have no doubt that the views expressed here today on refinements to the terms of reference will also have been made through that process.”

She said that Baroness Hallett will make recommendations on the final terms of reference to the prime minister next month, before he finalises them.

And she said that Baroness Hallett had pledged to begin her investigations once the terms of reference were finalised, and that she intended to gather evidence throughout the year, with public hearings beginning in 2023.

**28 April 2022**

**Grenfell: Government agrees to assessment of evacuation safety as bill is passed**

The government has agreed that its new building safety regulator will carry out an assessment of how disabled people can safely evacuate from high-rise buildings.

The proposal was included in the government’s new building safety bill as it finished its progress through parliament this week.

Disabled people have previously expressed their horror at the government’s refusal to include measures in the bill to ensure that disabled people living in high-rise buildings have the right to a personal emergency evacuation plan (PEEP).

Fire minister Lord [Stephen] Greenhalgh had told fellow peers earlier this month that the government had to question how much it was “reasonable to spend” on ensuring that disabled people have a PEEP as ministers “seek to protect residents and taxpayers from excessive costs”.

He had been speaking nearly five years after the Grenfell Tower disaster, in which 72 people lost their lives, including 15 of its 37 disabled residents.

The ongoing [Grenfell Tower Inquiry](https://www.grenfelltowerinquiry.org.uk/) has already recommended that owners and managers of high-rise residential buildings should be legally required to prepare PEEPs for all residents who may find it difficult to “self-evacuate”.

But the government has refused to include such a proposal in its bill.

Now ministers have agreed instead that their new building safety regulator, which is being introduced through the bill, will be asked to assess the evacuation issue within three years of its launch.

The measure was first proposed as an amendment to the bill by the Liberal Democrat Lord [Andrew] Stunell, a former local government minister in the 2010 coalition government.

The regulator will also be asked to assess fire safety systems, and the safety of stairways and ramps, and of electrical equipment.

Lord Stunell [told fellow peers last month](https://hansard.parliament.uk/lords/2022-03-29/debates/B22FF3EC-77B6-4C0A-AFAB-E492C0A86634/BuildingSafetyBill#contribution-F8C1DA08-F5E5-44E7-9266-3432EEFDAA87): “Here is an opportunity, with a clean slate and a new building safety regulator, to set out clearly in this bill the four topics that need the most urgent attention.

“If they come back and say that I am hopelessly exaggerating the concerns and problems so it is not necessary to regulate, let us hear it.

“However, if it is necessary to regulate, let us hear that as well.”

The government initially opposed his amendment, but later presented [a new version in the Commons](https://hansard.parliament.uk/commons/2022-04-20/debates/B6A1C824-4B94-48C5-9F3C-F09996D611B8/BuildingSafetyBill), with its proposals giving the regulator three years to carry out the assessments, rather than the two initially proposed by Lord Stunell.

That amendment was then backed by peers this week as the Lords approved the government’s final amendments to the bill.

Lord Greenhalgh [told the Lords](https://hansard.parliament.uk/Lords/2022-04-26/debates/78FF70FC-A4B1-41CC-ABBA-1B761213B7AE/BuildingSafetyBill) this week that the government was “happy to confirm that we fully accept the principle of this amendment, and the building safety regulator will be happy to take forward these safety reviews”.

Lord Stunell said it would be “a major step forward if we get these issues of fire suppression, stairways and ramps, electrical equipment and safety, and provision for people with disabilities properly examined and costed, with the regulations coming in front of the [Lords] and in front of the secretary of state.

“Even if it takes three years, it will be a significant step forward, and I am very pleased indeed to see that it is included in this bill.”

**28 April 2022**

**New bill set to give fresh rights to disabled users of taxis and minicabs**

Legislation passed by parliament this week will give disabled people new rights when travelling by taxis or private hire vehicles, although there are already concerns over how well they will be enforced.

The private members’ bill aims to fill gaps in the protection given to disabled people under sections 165 and 167 of the Equality Act 2010.

One of the gaps concerns laws that impose fines of up to £1,000 on drivers of taxis and private hire vehicles who refuse to accept wheelchair-users, try to charge them extra, or fail to provide them with appropriate assistance.

But those laws – [finally brought into force in 2017](https://www.disabilitynewsservice.com/peer-pressure-sees-minister-finally-announce-date-for-taxi-access-laws/) following delays from successive governments – only apply in those areas of England, Scotland and Wales where a local authority has drawn up a list of all the wheelchair-accessible taxis and private hire vehicles in their area.

The new [taxis and private hire vehicles (disabled persons) bill](https://bills.parliament.uk/bills/2912), originally introduced by Conservative MP Jeremy Wright, the former culture secretary, will now force all local authorities to maintain and publish such a list.

But it will also impose new duties on drivers of vehicles that are not wheelchair-accessible to carry a disabled person and their mobility aid and provide “reasonable assistance”, without charging extra, for example if a wheelchair-user wants to transfer to the passenger seat and store their wheelchair in the boot of the vehicle.

The Equality Act already bans operators of private hire vehicles from refusing a booking because the passenger will be accompanied by an assistance dog, but the new legislation will also now prevent them refusing bookings from any disabled person because of their impairment, or from charging them extra for providing them with assistance.

The junior transport minister Baroness [Charlotte] Vere [said this week](https://hansard.parliament.uk/lords/2022-04-26/debates/AB942035-8B4D-4DAB-A30F-A3EC0836D40D/TaxisAndPrivateHireVehicles%28DisabledPersons%29Bill) that the government had given the bill its “full support” and that it “goes a long way” to reducing the impact of discrimination on disabled people, who “rely on taxis and private hire vehicles more than most”.

Transport access campaigner [Doug Paulley](https://twitter.com/Doug_Paulley), who has fought for years to highlight gaps in the legislation [and its enforcement](https://www.disabilitynewsservice.com/a-year-on-from-new-taxi-discrimination-laws-and-not-a-single-prosecution/), welcomed the new bill and the strengthened rights it offered.

But he said the problem with the bill was that it relied on existing enforcement mechanisms.

He said: “By making it a criminal offence for taxi drivers to discriminate against us in various ways, parliament clearly intended to make it easier and more effective to enforce – but in fact the number of such prosecutions, compared to the number of such incidents, makes it very clear that this legislation is not enforced and discrimination is rife.

“The postcode lottery is a massive factor, with different taxi licensing authorities having very different competence, policy and energy in this area.

“Bringing other disabled people up to the same protection wheelchair and assistance dog users currently have is a very low bar indeed!”

[Lord [Patrick] McLoughlin](https://www.gov.uk/government/people/patrick-mcloughlin), who introduced the bill in the Lords, was partly responsible for the delay in implementing sections 165 and 167 as he was transport secretary between 2012 and 2016.

He said earlier this month that the new private members’ bill was “intended to give disabled people legal rights to ensure that travelling by taxi or private hire vehicle need no longer be a source of anxiety, physical discomfort or embarrassment – or a case of not being able to travel at all”.

The disabled Liberal Democrat peer Baroness [Sal] Brinton [told fellow peers](https://hansard.parliament.uk/lords/2022-04-01/debates/E0B88985-D80D-413E-9C91-FCD0212E88B6/TaxisAndPrivateHireVehicles%28DisabledPersons%29Bill) earlier this month that her party supported the bill, although its scope was “limited”, and that it was “long overdue that disabled passengers are not charged more than other passengers”.

She said there was still a serious issue – outside London – with the shortage of wheelchair-accessible taxis and private hire vehicles.

She added: “It is important that these steps are taken to go forward, but we need to be careful in thinking that this is going to be a universal answer to the access issues that disabled people face in getting taxis and private hire vehicles.”

**28 April 2022**

**Controversial BSL bill set to become law**

A controversial bill that will recognise British Sign Language (BSL) as a language in England, Scotland and Wales is set to become law after being passed by both Houses of Parliament.

BSL-users have been warned that the private members’ bill will provide them with no new rights, but it has still secured significant support from the Deaf community.

The [British Sign Language bill](https://bills.parliament.uk/bills/2915), originally introduced by Labour MP Rosie Cooper, herself a child of Deaf parents, secured widespread support from backbench Conservative MPs and the government.

Members of the House of Lords approved the bill yesterday (Wednesday) after it had already been passed by MPs.

The legislation, once it receives royal assent, will require the work and pensions secretary to produce regular reports on what 20 government departments have done to “promote or facilitate” the use of BSL in their “communications with the public”.

And it will require the work and pensions secretary to secure guidance for government departments and other public bodies on the “promotion and facilitation” of BSL.

But some [Deaf activists have described it](https://www.disabilitynewsservice.com/fresh-concerns-over-bsl-bill-despite-huge-london-rally/) as a “token bill that the government are using to look good without costing anything” and as a way for the government to “gain brownie points at zero cost”, with one even warning that it will put the battle for BSL rights and provision “back for another decade at least”.

David Buxton, chair of the [British Deaf Association](https://bda.org.uk/), who has led attempts to secure the legislation, said yesterday that the passing of the bill was “an historic day for the Deaf community in the UK, and an inspiration for other countries around the world” where national sign languages have not yet been recognised in law.

He said: “While today is a day to celebrate, we are aware that this marks the first step on a long path towards providing truly equal access to public services, information and opportunities for Deaf BSL users in Great Britain.

“The British Deaf Association looks forward to working hand in hand with the government and civil servants to implement and monitor the progress of the BSL Act 2022 to meet the unique needs of the 151,000 people who have British Sign Language as their first or preferred language.”

Cooper said: “At long last, the Deaf community will be able to say that their language is legally recognised.

“Working across party lines and with the Deaf community, I really believe we have made history by creating a mechanism for Deaf people to achieve equal access to public services.

“Their voices will be heard loud and clear and there will be no excuse for failing to respect BSL as a language.

“The hard work doesn’t stop here however, but the door is now open for the Deaf community [to] make real progress fixing the injustices that they continue to face.”

Chloe Smith, the minister for disabled people, said the bill would “help remove barriers faced by the D/deaf community in daily life and is a further welcome step towards a more inclusive and accessible society”.

**28 April 2022**

**Government and industry ‘must do more to grasp opportunities of smart homes’**

Government and industry are “failing to grasp the opportunities” provided by technological breakthroughs that should be allowing disabled people to lead more independent and fulfilling lives, according to a new report.

The report from the Smart Homes and Independent Living Commission, which held its first evidence session last May, says the health and social care system tends to view assistive technology as a way of managing disabled people’s care needs, rather than giving them greater choice and control in their home environment.

And it warns that local and national government are failing to place the principles of independent living at the heart of commissioning of assistive technology, while there is low awareness of the technology’s possibilities among both health and social care staff and disabled people.

The [Smarter Homes for Independent Living report](https://www.policyconnect.org.uk/research/smarter-homes-independent-living) says that “substantial advances” in smart devices and smart homes “promise to give disabled and older people unprecedented control over their domestic environments”.

But progress has been hampered by factors such as “poorly targeted investment”, “patchy digital infrastructure”, a shortage of high-quality evidence on the benefits of assistive technology, and a failure to involve disabled and older people in decision-making.

The report on the commission’s work, published by the Policy Connect thinktank, which managed the commission, and set to be launched today (Thursday) at a meeting of the all-party parliamentary group for assistive technology, says smart technology can support independent living in a variety of ways.

Accessible devices can allow the user to operate lights, curtains, heating and other fixtures and appliances such as entertainment systems and automated vacuum cleaners.

The technology can also allow disabled people to engage with their community through news websites and video conferencing, and it can assist service-users to carry out personal care unaided, and to call for assistance if needed.

One user of smart technology told the commission that they used it to control devices like lights and appliances and that it had had “a major positive impact on my life” and provides “far more independence when I am alone at home”.

Another user, who uses smart technology such as a robot vacuum cleaner and devices to heat water and pour hot water, said she did not know “all the things that may be available and I need someone to set them up and teach me to use them.

“I need help when they go wrong or need re-setting. Social care or some local support agency could contact me and help me get what I need.

“I don’t know how you contact the right person. My son has done all of the setting up, but he lives a very long way away.”

[Clive Gilbert](https://www.policyconnect.org.uk/people/clive-gilbert), policy manager for assistive technology at Policy Connect, and the report’s author and himself a user of assistive technology, said: “Our recommendations will help millions of disabled and older people lead more fulfilling lives by putting their needs and aspirations at the centre of technology design and care services.

“With appropriate support from carers, family members and friends, smart home technology promises to give people more choice and control in their lives.

“To achieve this, we must reform the way technology is used in health and social care services.

“The technology market must also be made to work better for disabled and older consumers.”

Among the report’s recommendations is for the government to pilot a new independent living technology grant that would provide funding to buy low-cost technology.

Another of the commission’s recommendations – calling for clarification that the disabled facilities grant can be used to obtain digital technology solutions for the home – has already been accepted and included in new guidance by the government.

But the report, sponsored by Bournemouth University and Coventry University, also warns of the “acute need” for a framework of “ethical regulation, standards and training” for the care and technology industries to protect disabled and older people’s rights as the use of smart technology becomes more widespread.

**28 April 2022**

**Access card wins prestigious innovation award**

A disabled-led company has won a prestigious Queen’s Award for Enterprise for an “innovative” system that makes it easier for disabled people to secure the adjustments they need when attending entertainment venues.

[Nimbus](https://www.nimbusdisability.com/) is one of just 51 businesses to be recognised for outstanding achievements in innovation in this year’s awards, [announced on the Queen’s birthday](https://www.thegazette.co.uk/content/pdf/queens-award-enterprise-2022-official-press-book.pdf).

The award for its Access Card, approved by both the prime minister and the Queen, means Nimbus will be able to fly the Queen’s Awards flag at its Derby offices, and can use the awards emblem on its products and stationery for the next five years.

The training and consultancy service, a not-for-profit social enterprise, started working on the Access Card in 2013.

The card includes symbols that summarise the disabled person’s access requirements, with each symbol based on their rights under the Equality Act.

It informs service-providers “quickly and discreetly” about the support the disabled person needs, preventing them from having to go into lengthy detail about their requirements.

It is accepted at UK venues such as Westminster Abbey, The O2 Arena, Buckingham Palace and Alton Towers, and international venues such as The Louvre in Paris.

The Access Card can also be used by ticketing companies to make the booking process easier for disabled customers.

Martin Austin, managing director of Nimbus, came up with the idea for the Access Card, and part of its profits are ploughed back into the charity Disability Direct, where he used to work as a welfare rights officer, and which was responsible for setting up the social enterprise.

Austin said the award was “an overwhelmingly welcome signal of recognition”.

He said he hoped it would be “a catalyst for all of those sitting on the fence of working with us to understand what we have to offer and take our work as seriously as we do”.

Suzanne Bull, chief executive of the user-led charity [Attitude is Everything](http://www.attitudeiseverything.org.uk/about-us), which campaigns to improve disabled people’s access to live music, said the Access Card had “created real and lasting change”.

She said: “The card gives people a simple means to book the access they require to attend events and attractions during the ticket-buying process, and organisers a scheme to place their trust in and use to enable seamless online booking.

“The impact has been felt far and wide across both audiences and ticketed industries.”

Jonathan Brown, chief executive of the Society of Ticket Agents and Retailers, also welcomed the award.

He said: “It is an excellent and trusted solution for anyone looking to improve access to tickets and events for disabled people.

“I am so pleased that Nimbus is receiving this award for its pioneering work.”

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**Other disability-related stories covered by mainstream media this week**

The government’s policy towards care homes in England at the start of the Covid pandemic has been ruled illegal, in a significant blow to ministers’ claim to have thrown a “protective ring” around residents. The high court ruled that the policy not to isolate people discharged from hospitals to care homes in the first weeks of the pandemic in spring 2020 without testing was “irrational”: <https://www.theguardian.com/world/2022/apr/27/covid-discharging-untested-patients-into-care-homes-was-unlawful-says-court>

Government policies on discharging untested patients from hospital to care homes in England at the start of the Covid pandemic have been ruled unlawful by the high court: <https://www.bbc.co.uk/news/uk-england-61227709>

Mentally unwell women are being imprisoned unnecessarily as self-harm rates surge in prisons across England, MPs have warned. Evidence from the Her Majesty’s Inspectorate of Prisons to an all-party parliamentary group (APPG) revealed 68 women, remanded to three jails in the 12 months to August 2021, should have been moved elsewhere due to their mental distress. The report to the APPG said the women were being remanded to prison “for their own safety” due to a shortage of NHS beds and lack of appropriate services within the community: <https://www.independent.co.uk/news/uk/prison-women-mental-health-mp-b2065054.html>

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**News provided by John Pring at** [www.disabilitynewsservice.com](http://www.disabilitynewsservice.com)